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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,872	03/28/2007	Yim-Bun Patrick Kwan	72261.48	7328
7590 07/31/2009				
Gray Robinson Attorney at Law 401 East Las Olas Boulevard, Suite 1850 Fort Lauderdale, FL 33301		EXAMINER JONES, JAMES		
		ART UNIT 2873		PAPER NUMBER
		MAIL DATE 07/31/2009		DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/597,872

**Applicant(s)**

KWAN ET AL.

**Examiner**

JAMES C. JONES

**Art Unit**

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-7 and 19 is/are rejected.
- 7) ☒ Claim(s) 8-18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 19 is objected to because of the following informalities: Claim 19, line 7, after the word "weight" insert "of" to correct an inadvertent typographical error.

Claim 12 is objected to because of the following informalities: Claim 12, line 2 after the word "have" delete "a" to correct and inadvertent typographical error.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 2-7 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by (Gellrich et al. (20080002170) hereafter Gellrich.

Gellrich discloses the limitations therein including the following:

Regarding claim 19 Gellrich discloses in figs 1 and 4, a structure for use in a projection exposure system of the type used for manufacturing semiconductors, said structure comprising: a projection lens assembly (1) which includes a housing (2) and a plurality of optical elements mounted (3) in said housing (2) for imaging a mask (MA) onto a semiconductor substrate (W), said housing (2) having at least one structural

element (4), a supporting structure (8) for supporting said projection lens assembly (1) and bearing the weight of said projection lens assembly (1), said weight of said projection lens assembly including (1) at least the combined weight of said housing (2) and said plurality of optical elements (3), and a plurality of supporting elements (17), each respective one of which forms part of a respective one of a plurality of connections through which said housing (2) is connected to said supporting structure (8) and through which said weight of said projection lens (1) is transferred to said supporting structure (8) in such a way that supporting forces generated by said supporting structure (8) as a result of said transfer of said weight of said projection lens assembly are taken up by a pressure force and a shear force which act on at least one of said supporting elements (17) (fig. 1, 4, par. [0040][0054]).

Regarding claim 2 Gellrich discloses a structure according to claim 19, wherein at least one of said supporting elements has a mounting flange and at least one of said connections comprises a layer of adhesive between said structural element and said mounting flange (fig. 1, 4, [0051]).

Regarding claim 3 Gellrich discloses a structure according to claim 19, wherein said structural elements are made of materials to which the group comprising glass, ceramic and glass ceramic belongs (par. [0047], line 4).

Regarding claim 4 Gellrich discloses a structure according to claim 19, wherein said supporting elements-comprise a metal supporting elements (par. [0047]).

Regarding claim 5 Gellrich discloses a structure according to claim 19, wherein said plurality of supporting elements comprises at least three supporting elements distributed about the periphery of said structural element (par. [0054]).

Regarding claim 6 Gellrich discloses a structure according to claim 5, wherein said housing comprises an at least approximately centrally arranged structure reinforcing plate (par. [0051]).

Regarding claim 7 Gellrich discloses a structure according to claim 19, wherein said supporting element each have an at least approximately an L-shaped portion and an adjoining mounting flange (fig. 4).

***Allowable Subject Matter***

4. Claims 8-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: none of the prior art either alone or in combination disclose or teach of the claimed combination of limitations to warrant a rejection under 35 USC 102 or 103. Specifically, in reference to claim 8 (and its dependent), none of the prior art either alone or in combination disclose or teach of the claimed structure for use in a projection exposure system specifically including, as the distinguishing features in combination other limitations the claimed "vertical leg of the L-shaped portion lies facing the external periphery of said structural element"

Regarding claim 10, none of the prior art either alone or in combination disclose or teach of the claimed structure for use in a projection exposure system specifically including, as the distinguishing features in combination other limitations the claimed "wherein said structural element is provided with a through-bore, through which a prestressed screw is passed and connected to the horizontal leg of the L-shape".

Regarding claim 11, none of the prior art either alone or in combination disclose or teach of the claimed structure for use in a projection exposure system specifically including, as the distinguishing features in combination other limitations the claimed "wherein said structural element is provided with a through-bore, through which a prestressed screw passes and connects said vertical leg to said structural element".

Regarding claim 12 (and its dependent), none of the prior art either alone or in combination disclose or teach of the claimed structure for use in a projection exposure system specifically including, as the distinguishing features in combination other limitations the claimed "wherein said supporting elements each have a portion of substantially U-shaped cross section, from which said mounting flange branches off, said substantially U-shaped portion having two mutually spaced legs between which said structural element is received".

Regarding claim 14 (and its dependents), none of the prior art either alone or in combination disclose or teach of the claimed structure for use in a projection exposure system specifically including, as the distinguishing features in combination other limitations the claimed "wherein said supporting element comprises two mutually spaced clamping plates between which said structural element is received, a peripheral

plate running parallel to an outer wall of said structural element, and a mounting flange connected to said two clamping plates and said peripheral plate".

***Response to Arguments***

6. Applicant's arguments with respect to claims 2-18 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES C. JONES whose telephone number is (571)270-1278. The examiner can normally be reached on Monday thru Friday, 8 a.m. to 5 p.m. est. time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Mack can be reached on (571) 272-2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James C. Jones/  
Examiner, Art Unit 2873  
7/28/2009

/Jordan M. Schwartz/  
Primary Examiner, Art Unit 2873